

MESSRS. COLLIER.

On Monday morning the 9th August at the Guildhall Police-court, before Mr. Thomas White, the case of Mr. Alexander Collie, of 12, Kensington-gardens, and Mr. W. Collie, of 8, Aytoun-street, Manchester, lately recently carrying on business as merchants at 17, Leadenhall-street, was heard. Mr. Alexander Collie, charged with having obtained large sums of money from the London and Westminster Bank upon false pretences, was proceeded with by Mr. William Collie, who acted as prosecutor.

Sir Henry James, Q.C., and Mr. Poland, instructed by Messrs. Travers Smith and Co., prosecuted; Mr. Alexander Collie, of 12, Kensington-gardens, London; Aytoun-street, Manchester; 12, Kensington Palace-gardens, and Dover-house, Rochester, in the county of Surrey, merchant and commission agent, for the defence. Mr. Alexander Collie, of 12, Kensington-gardens, London, appeared for the defence. Mr. Alexander Collie, of 12, Kensington-gardens, London, appeared for the defence.

Sir Thomas White.—I think we ought to allow him five minutes' grace, Mr. Martin (addressing the Chief Clerk). It is now four minutes past 11.

Sir Thomas White.—We are each obliged to you, Sir Henry James, and better wait a minute or two. We have sent to Mr. Collins, out of courtesy, to ask him if he is going to appear.

After a brief interval, the defendant not having appeared.

Sir H. James said—I have now to renew my application, Sir, that Alexander Collie be called upon to appear in court.

Mr. Thomas White.—I am instructed to appear for him; but I had an intimation when I came here this morning that he had not been at home for a day or two.

Mr. Martin.—I suppose he will be called for on Monday.

Mr. Roe (the Chief Clerk) then, as follows the absent defendant three times as follows:—“Alexander Collie, come forth and answer to your name, or you will be taken into custody.”

Mr. Martin.—And the recognition of the bail also.

Sir Thomas White.—Yes, Sir Thomas, in consequence of the defendant Alexander Collie not appearing, our first application to you is that you will grant a warrant for his arrest immediately.

Sir Thomas White.—Undoubtedly immediately.

Sir H. James.—I have also to apply that the amount of the bail should be returned. However, unfortunately it may be to those gentlemen, it must be done.

Mr. Martin.—I appear this morning on behalf of the Union Bank of Scotland to charge the defendant Alexander Collie, with obtaining money from the bank to the amount of £150,000, upon false pretences.

Mr. Martin.—The manager of the bank, has had an information before you, but I am not sure whether upon that information you have granted the warrant. If not, my application is that, upon the information, you should grant it now.

I may state that, with regard to William Collie, the Union Bank of Scotland has no charge against him. It is not a charge of conspiracy, but of obtaining money under false pretences, made to the manager by Alexander Collie.

Sir Thomas White.—I have gone carefully through those papers, and have no hesitation in saying that the request of the learned counsel; in fact I have already granted a warrant for the apprehension of Alexander Collie.

Sir Henry James.—Will you now call the bail of Mr. Alexander Collie?

Mr. Roe then called for Mr. Josiah Riddell and Mr. William Frederick Wigg, in the same formal manner. These gentlemen came forward before the court. Being asked, “What is Mr. Alexander Collie?” they replied “We do not know.”

Mr. Martin.—As the bail have appeared the only question is whether Sir Thomas White, the defendant, is the person named in the bail. Sir Thomas White.—Immediately. I order that your recognizances be returned.

Sir H. James.—I think it right that I should now state, after the bail have been returned, that we do not propose to proceed now, in the absence of Alexander Collie, upon the charge of conspiracy against the defendant William Collie, who is present and has surrendered. It is necessary, in our view, to bring this prosecution to a proper termination, that Alexander Collie be present, and that the principal reasons for the arrest of Alexander Collie be most material to be given in evidence and placed upon the depositions, which are many of those statements which in his deposition he has made against William Collie. Nor do we wish that the course we are taking should press unduly on Mr. William Collie for the fault of Alexander Collie, who has not surrendered. Therefore, we ask that his recognizances shall be so framed that he should be called on to appear on receiving notice from you to come up, which means when Alexander Collie is arrested. If we are able to obtain his recognizances, then a statement of the course to be pursued will be submitted to you for your approval.

Mr. Martin (to defendant).—Are your bail here?

The defendant.—They are.

Sir Thomas White.—I beg your pardon, Sir Henry James, but may I ask you to put that question again?

Sir Henry James.—The course we thought it better to pursue—having regard to the uncertainty of the time when Alexander Collie may be secured to appear through the authority of the court—was to call upon the defendant Collie that his recognizances should be so framed that he should be called on to appear on receiving notice from you to come up, which means when Alexander Collie is arrested.

Mr. Martin.—I think this is rather than that the defendant should be brought here week after week.

Sir Thomas White.—I am very glad you think it worth so much consideration.

Mr. Martin.—I thought I should have had to appear for both these parties. With regard to William Collie, he has appeared here in due form, and he is entitled to that consideration. Having, as you appear here to answer the charge against him, he is entitled to it, and it is not a question of concession.

Sir Henry James.—We cast no fault upon him.

Sir Thomas White.—In what form do you desire this bail?

Sir Henry James.—Well, Sir Thomas, it appeared to me that they should agree to surrender William Collie upon a recognizance, not to appear before you on any charge.

Sir Thomas White.—On the present bail, Sir Henry James.—On the part of the prosecution there is no objection to the present bail of Alexander Collie.

Mr. Martin.—We do not wish to put the defendant's bail to unnecessary trouble. We will be ready to accept of any other bail.

Mr. Martin.—On his behalf, it occurred to me, and I made the suggestion to my friend, Sir Henry James, that a particular day should be named, but I am not sure that you have the power of ordering bail except from week to week.

Sir Henry James.—Oh, no.

Mr. Martin.—I don't know; the practice is to order bail, but I am not sure that you have the power of ordering bail except from week to week.

Sir Henry James.—Oh, yes, it can be done.

Mr. Martin.—Yes, we can name a particular day.

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